IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 2249 OF 2007

Mandhana Fabrics Ltd. & Ors ....Petitioners
V/s
Central Bank of India & Ors. ....Respondents.

Mr.Sagar Bhandwalkar, Adv. For the petitioners.

Mr.V.K.Nair, Adv. For the respondent No.1.

Mr.Y.M.Nakhwa, APP for the State.

CORAM: A.P.DESHPANDE, J.
4/12/07

PC:

The present petitioners by this petition take an exception to an order passed by the District & Sessions Judge, Sangli imposing a condition of deposit of an amount of Rs.5 lakhs within three months from the date of passing of order while suspending the substantive sentence.

2. The petitioners have been convicted for the offence punishable under section 138 of the Negotiable Instruments Act and the trial Court has sentenced the petitioners to suffer rigorous imprisonment for six months and also directed the petitioners-accused to pay an amount of Rs.21,27,000/- to the complainant-bank viz. Central Bank of India by way of compensation. In an appeal preferred against the judgment and order of conviction the present petitioners moved an application for suspension of the

sentence. The same was allowed however subject to condition of deposit of Rs.5 lakhs within a period of three months. Perused the impugned order which imposes the said condition. Condition imposed is just and proper and is not at all unconscionable. Hence no interference is called for. Writ petition is summarily dismissed. At this stage learned counsel for the petitioners seeks extension of time by two weeks from today to enable the petitioners to deposit the sum of Rs.5 lakhs as directed by the appellate court. Time as prayed for is extended by two weeks from today.

4.12.07